

REMARKS

Claims 1-12, 13-16 and 20-22 are presently pending. Of these, the U.S. Patent and Trademark Office indicated that Claims 2 and 10 were allowable. Claims 1 and 7 are amended to positively recite that “a metal ion that forms the magnetic metal oxide.” No new matter has been added herewith. The following addresses the substance of the Office Action.

Indefiniteness

Claims 1, 3-9, 11, 13-16, and 20-22 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. In particular, the phrase “adding to the solution a metal ion that can form the magnetic metal oxide” was found to be speculative and not a positive limitation. The Examiner stated that formation of magnetic metal oxide is a part of the invention and should be stated as such. Applicants have amended Claim 1 to recite “adding to the solution a metal ion that forms the magnetic metal oxide.” In addition, dependent Claim 7 is amended to recite “the metal ion that forms the magnetic metal oxide”. In view of these amendments, the claims are in compliance with the second paragraph of 35 U.S.C. § 112. Accordingly, the Applicants respectfully request removal of the rejection.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

In view of Applicants' amendments to the Claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the

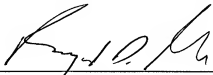
application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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